

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

3:08cv202

WHITAKER,	)
Plaintiff,	)
	)
v.	)
	)
UNITED STATES OF AMERICA,	)
Defendant.	)
	)

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**ORDER CONTINUING TRIAL DATE AND APPOINTING GUARDIAN AD LITEM**

**THIS MATTER** is before the Court pursuant to an Advisory to the Court filed jointly by the parties in this matter, informing the Court of a settlement in principal of this matter, and requesting a continuance of the trial date and appointment of a Guardian ad Litem for purposes of reviewing the proposed settlement. The Court has considered the recitations of the parties in said Advisory to the Court and found that they have shown good cause to continue the trial date and appoint a Guardian ad Litem.

**IT IS, THEREFORE, ORDERED** as follows:

1. This case shall be, and hereby is, removed from the Court's trial calendar for September 21, 2009.
2. Attorney Richard L. Anderson of the law firm of Price, Smith, Hargett, Petho & Anderson, 1430 Elizabeth Avenue, Charlotte, North Carolina 28204, (704) 315-2467, rlanderson@carolina.rr.com, is hereby appointed as Guardian ad Litem to the minor child Marcus Whitaker, for purposes of review of the proposed settlement in this case.
3. The July 23, 2009 Motion to Exclude the Testimony of Defendant's Proposed Expert Witness

is denied as moot.

Signed: September 10, 2009

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written in black ink. The signature is positioned above a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

